

SPECIAL PROCEDURES SUBMISSION

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Akio SUGIHARA, et al. Docket No: Q97391

Allowed: September 20, 2010

Appln. No.: 10/594,127 Group Art Unit: 1625

Confirmation No.: 8975 Examiner: Niloofar RAHMANI

Filed: September 25, 2006

For: COMPOSITION OF SOLIFENACIN OR SALT THEREOF FOR USE IN SOLID FORMULATION

**PETITION TO WITHDRAW APPLICATION FROM ISSUANCE
IN ACCORDANCE WITH 37 C.F.R. §1.313(a) and (c)(2)**

MAIL STOP 313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions the Commissioner to withdraw the above-identified application from issuance in accordance with 37 C.F.R. §1.313(a) and (c)(2). Insofar as Applicant can determine, although the Issue Fee was paid on December 16, 2010, the above-identified application has not been accorded an issue date or a patent number.

The present petition is being filed to request consideration of a request for continued examination (RCE) in compliance with 37 C.F.R. §1.114 and consideration of an Information Disclosure Statement under 37 C.F.R. §1.97, in the above-identified application, citing two Communications from foreign patent offices, Canadian Office Action, dated August 23, 2010

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issued in Application No 2,562,167, which is a foreign counterpart to the present application and Chinese Office Action, dated November 18, 2010 issued in Application No. 200580045014.4, which is a foreign counterpart to co-pending Application No. 12/950,492. An Information Disclosure Statement and RCE are being filed concurrently herewith.

The petition fee of \$130.00 (37 C.F.R. §1.17(h)) is being remitted. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Jennifer M. Hayes/
Jennifer M. Hayes
Registration No. 40,641

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON DC SUGHRUE/265550

65565
CUSTOMER NUMBER

Date: January 7, 2010